

A RESOLUTION OF THE CITY COUNCIL OF HURRICANE, UTAH, AFFIRMING
FUNDAMENTAL RIGHTS AND FREEDOMS GUARANTEED UNDER THE UTAH STATE
CONSTITUTION.

WHEREAS, when sworn in as public servants, the Mayor and each member of the Hurricane City Council pledged to uphold and defend the United States Constitution and to discharge their duties with fidelity; and

WHEREAS, the United States Constitution and, more specifically, the Due Process Clause of the Fourteenth Amendment, protects the fundamental right of parents to direct the care, upbringing, and education of their children; and

WHEREAS, the National Association of School Boards wrote a letter dated September 29, 2021 asking the U.S. Attorney General, Merrick Garland to use his political power to direct the FBI and the Department of Homeland Security (DHS) to target parents as “Domestic Terrorists” for being publicly vocal at school board meetings in opposition to their teaching Critical Race Theory (CRT), along with overtly sexual and inappropriate material to our children in our public schools; and

WHEREAS, the Attorney General did issue that directive to the FBI and DHS to target and go after parents, even in Utah, for expressing their opposition to the things being taught in our schools; and

WHEREAS, this misapplication of the law regarding “Domestic Terrorists” has resulted in parents facing prosecution for being vocal and have wrongfully been arrested, harassed and forbidden to attend, or participate, in school board meetings or even to speak to teachers or administrators, without the threat of being arrested, and

WHEREAS, parents, not the school board, are the primary caretakers and decision makers for their children and their education, and have every right, indeed the responsibility, to attend school board meetings and voice their concerns and opinions in that forum; and

WHEREAS, the Mayor and undersigned City Council members feel duty bound to raise an unequivocal voice against those things or actions that directly or indirectly attack or erode parents rights set forth by their constitutional rights and freedoms, that the Utah State Legislature has stated in Title 30-5a-103 and 62A-4a-201 that “it is the public policy of the state that a parent retain the fundamental right and duty to exercise primary control over the care, supervision, upbringing, and education of the parent’s children,” and “The State recognizes that: “The States role is secondary and supportive to the Primary role of a parent” The State of Utah has also stated that “A fundamentally fair process must be provided to parents if the state moves to challenge or interfere with parents rights. A government entity must support any actions or allegations made in opposition to the rights and desires of a parent regarding the parent’s children by sufficient evidence to satisfy a parent’s constitutional entitlement to heightened protection against government interference with parent’s fundamental rights and liberty interests and, concomitantly, the right of the child to be reared by the child’s natural parent.”

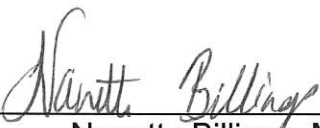
BE IT HEREBY RESOLVED that we, as the Mayor and city council, declare that parents are THE primary stakeholders in their children's upbringing, and that as primary stakeholders, parents have the responsibility for what, and how, their children are taught. Parents have the unalienable right to participate in the political process on behalf of their children. All parties, including Parents, the Washington County School District, the Utah State Legislature, and the Utah Board of Education, as joint stakeholders in their respective areas of education, should seek partnership in ensuring the safety and proper education of children in the State of Utah and the entire Education System.

THEREFORE BE IT FURTHER RESOLVED that the Hurricane City Council and Mayor forward this resolution to the following parties, requesting:

1. The Utah Board of Education, the Utah School Board Association, and the Utah School Administrators Association (1) Publicly repudiate the National School Board Association's September 29th 'domestic terrorism' letter, (2) declare, by resolution, their affirmation that Parents are the Primary Stakeholders in their children's upbringing and are the "primary political participants" on behalf of their children's education, well-being, and future.
2. The Utah School Board Association withdraw its National School Board Association membership.
3. The Washington County School Board pass a resolution reaffirming its declaration that parents are the "primary" stakeholders in their children's education and upbringing, and commit to follow the Constitution of the United States and the State of Utah to protect the rights of parents to participate in the educational process, on behalf of their children, to ensure due process for all Parents.

DATED this 3 day of March, 2022.





Nanette Billings, Mayor

Attest:



Cindy Beteag, City Recorder

Council Members: Aye/Nay

Joseph Prete	_____	X
David Sanders	X	_____
David Hirschi	X	_____
Kevin Thomas	X	_____
Doug Heideman	X	_____